

**FLEIT, KAIN,  
GIBBONS, GUTMAN,  
BONGINI & BIANCO P.L.**

ATTORNEYS AT LAW

MIAMI • FORT LAUDERDALE • BOCA  
RATON

551 NW 77TH STREET  
SUITE 111  
BOCA RATON, FLORIDA 33487

TELEPHONE: (561) 989-9811  
FACSIMILE : (561) 989-9812

JGUTMAN@FOCUSONIP.COM  
WWW.FOCUSONIP.COM

**TELECOPIER TRANSMITTAL FORM**

**RECEIVED  
CENTRAL FAX CENTER**

DATE: August 5, 2005  
 TO: Examiner Jeffrey C. Pwu  
 FIRM: USPTO, Group Art Unit 2143  
 FAX #: (571) 273-8300  
 PHONE: (571) 272-6798  
 FROM: Jose Gutman

**TOTAL NUMBER OF PAGES: 30  
(INCLUDING THIS PAGE)**

AUG 05 2005

IF YOU DO NOT RECEIVE ALL PAGES CLEARLY, PLEASE CONTACT US IMMEDIATELY

**MESSAGE:**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Florian PESTONI et al.

**Serial No.:** 09/929,606

**For:** *METHOD, COMPUTER READABLE MEDIA AND APPARATUS FOR THE SELECTION AND RENDERING OF AUDIO FILES IN A NETWORKED ENVIRONMENT*

Please be advised that we received a telephone call from the Examiner regarding the above-captioned matter. A check of PAIR indicated that our Response with Amendment faxed on May 2, 2005 was never entered.

Attached please find a copy of the faxed Response along with fax confirmation and Auto-Reply Facsimile Transmission received from the Patent Office.

Kindly enter this Response with the filed date of May 2, 2005. Thank you for your cooperation in this matter.

Docket No.: ARC920010007US1

110-A01-004

August 5, 2005

USPTO 5/2/2005 4:29 PM PAGE 1/001 Fax Server  
 TO:Auto-reply fax to 561 989 9812 COMPANY:

## Auto-Reply Facsimile Transmission



TO: Fax Sender at 561 989 9812

Fax Information  
 Date Received: 5/2/2005 4:17:07 PM [Eastern Daylight Time]  
 Total Pages: 27 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
 Cover  
 Page  
 =====>

65/02/2005	16:13	561-989-9812	FLEIT KAIN ET AL.	PAGE 01/27
<b>PATENT</b>				
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE				
Appl. No. : 08/929,606		Confirmation No. : 9179		
Applicant : Pesiom, et al.				
Filed : 08/04/2001				
Art Unit : 2143				
Examiner : Jeffrey C. Pwu				
Docket No. : ARCO-2001-0007-US1				
Customer No. : 23334				
CERTIFICATE OF MAILING OR TRANSMISSION				
I hereby certify that this correspondence (Amendment of 27 pages) is being deposited with the United States Postal Service with sufficient postage as first class envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.				
On <u>05/05/2005</u>				
<u>Karen Tarczynski</u> <u>Jeffrey C. Pwu</u>				
_____ Name _____ Signature _____				
<u>RESPONSE WITH AMENDMENT UNDER 37 C.F.R. §1.111</u>				
VIA FACSIMILE (703) 672-9316 Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450 ATTENTION: Patent Examiner PWU, Tel. (571) 272-6798				
Sir:				
In response to the Office Action dated February 2, 2005, please amend the above-identified application as follows:				
Amendments to the Specification begin on page 2 of this paper.				
Amendments to the Claims are reflected in the listing of claims, which begins on page 8 of this paper.				
Remarks/Arguments begin on page 20 of this paper.				
Page 1 of 27				

**BEST AVAILABLE COPY**

## TRANSMISSION VERIFICATION REPORT

TIME : 05/02/2005 16:25  
 NAME : FLEIT KAIN ET AL.  
 FAX : 561-989-9812  
 TEL : 561-989-9811  
 SER. # : 000L3J186396

DATE, TIME	05/02 16:13
FAX NO./NAME	USPTO - CENTRAL
DURATION	00:11:27
PAGE(S)	27
RESULT	OK
MODE	FINE ECM

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. :	08/929,606	Confirmation No. :	9179
Applicant :	Pestoni, et al.		
Filed :	08/04/2001		
Art Unit :	2143		
Examiner :	Jeffrey C. Pwu		
Docket No. :	ARC9-2001-0007-US1		
Customer No. :	23334		

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence (Amendment of 27 pages) is being deposited with the United States Postal Service with sufficient postage as first class envelope addressed to:  
 Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

On 5/2/05

Date

Karen Tarczynski  
 Name

Karen Tarczynski  
 Signature

RESPONSE WITH AMENDMENT UNDER 37 C.F.R. §1.111VIA FACSIMILE (703) 872-9306

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

ATTENTION: Patent Examiner PWU, Tel. (571) 272-6798

RECEIVED  
CENTRAL FAX CENTER

AUG 05 2005

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	08/929,606	Confirmation No.	:	9179
Applicant	:	Pestoni, et al.			
Filed	:	08/04/2001			
Art Unit	:	2143			
Examiner	:	Jeffrey C. PWU			
Docket No.	:	ARC9-2001-0007-US1			
Customer No.	:	23334			

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence (Amendment of 27 pages) is being deposited with the United States Postal Service with sufficient postage as first class envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

On 5/2/05

Date

Karen Taragowski Karen Taragowski  
Name Signature

RESPONSE WITH AMENDMENT UNDER 37 C.F.R. §1.111VIA FACSIMILE (703) 872-9306

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

ATTENTION: Patent Examiner PWU, Tel. (571) 272-6798

Sir:

In response to the Office Action dated February 2, 2005, please amend the above-identified application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 8 of this paper.

**Remarks/Arguments** begin on page 20 of this paper.